

REQUEST FOR RECONSIDERATION

Applicant acknowledges with appreciation the Examiner's willingness to discuss the above-captioned patent application in an in-person interview with Applicant's representative on February 19, 2004. In response to the rejections raised in the Office Action mailed September 24, 2003, and in accordance with the discussion during the Interview of February 19, 2004, Applicant hereby amends claims 1 and 13. Applicant respectfully requests that the Examiner enter the foregoing amendments. No new matter is added by these amendments, and the amendments are fully supported by the specification. In view of the accompanying Request for Continued Examination (RCE), Applicant respectfully requests that the Examiner reconsider the above-captioned patent application in view of the foregoing amendments and following remarks.

REMARKS

1. Rejections

Claims 1-19 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by U.S. Patent No. 6,138,119 to Hall et al. ("Hall"). Applicant respectfully traverses.

2. Clarification of Claims

During the Interview, the Examiner suggested that Applicant consider amending independent claims 1 and 13 to clarify the description of the invention in order to expedite prosecution. In particular, the Examiner suggested that Applicant address four (4) issues: (1) clarification of the term "information" in the preamble to claim 1; (2) clarification of the meaning of "compliance data" as used in the claims and, in particular, the definition of the term "standards;" (3) replacement of the term "supplementing" with a term that avoids certain connotations associated with that term in the relevant art; and (4) clarification of methods that may be employed to gather compliance data. As discussed below, Applicant believes that that each of these issues are addressed by the proposed amendments.

First, Applicant proposes amending claim 1 to replace the term "information" in the preamble with the term "compliance data." Applicant notes that "compliance data" already appears in the preamble of claim 13, and by this amendment, the preambles of the independent claims are made consistent.

Second, Applicant maintains that the term "compliance data" as used in the claims is adequately and accurately described in the specification. E.g., Appl'n, Page 1, Line 19 through Page 2, Line 7; Page 4, Lines 8-23. Similarly, while the term "standards" with respect to

“compliance data” would be understood in the relevant art, Applicant maintains that the specification further clarifies the relationship between these terms, as used in the claims. In particular, according to the specification, “[c]ompliance data, particularly standards, include information that serves as a rule for making judgements [sic] or as a basis for comparison, information authorized as the measure of quantity or quality, or information that serves as a standard or basis.” Appl’n, Page 4, Lines 16-19 (emphasis added).

Third, as per the Examiner’s suggestion, Applicant proposes replacing the term “supplementing” with the phrase “editing said gathered compliance data to include organizational data.” The meaning of this phrase is understood by persons skilled in the relevant art in view of its definition in the specification. See Appl’n, Page 2, Lines 23-24; Page 5, Lines 15-22; Page 7, Line 1, through Page 9, Line 15; **Figs. 4 and 5**.

Fourth, Applicant notes that no particular search engine is specified or required for gathering. Appl’n, Page 5, Lines 9-15. Moreover, the data may be gathered manually (see, e.g., Appl’n, Claim 2) and assembled into a relational database (see Appl’n, Fig. 2). See also Appl’n, Page 9, Lines 23-30, and Page 10, Lines 1-19 (describing structure of relational database).

Applicant proposes these amendments to help the Examiner better understand the claimed invention and, thereby, to expedite prosecution of the application. Nevertheless, Applicant also believes that these amendments may clarify the distinguishing elements of the claimed invention over the cited art discussed below.

3. 35 U.S.C. § 102(b)

Claims 1-19 stand rejected as allegedly anticipated by Hall. “A claim is anticipated if and only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131. The Office Action alleges that Hall describes each and every element as set forth in claims 1-19. Applicant respectfully traverses.

Applicant maintains that the outstanding rejections are rendered moot by the proposed amendments. For example, Applicant notes that claim 1, as amended, describes a method for managing compliance data over a networked system of computers comprising the steps of “gathering compliance data . . .; supplementing and formatting a portion of said compliance data to create modified compliance data.” (Emphasis added.) Similarly, claim 13

describes a computer system for managing compliance data comprising “means for supplementing and formatting said compliance data creating modified compliance data.” (Emphasis added.) For example, in an embodiment of the invention, the compliance data is supplemented, i.e., “edit[ed] . . . to include organizational data,” and the supplemented compliance data is formatted resulting in modified compliance data. Thus, a portion of the gathered compliance data may be removed, and the remaining portion of the compliance data may be formatted to generate the modified compliance data. In an embodiment, the modified compliance data then may be classified or organized into one of thirteen categories.

In contrast, Hall describes a descriptive data structure 200 (“DDS”) which is associated with a rights management data structure, e.g., a newspaper 102 or a magazine 106. DDS 200 includes DDS definitions 202. For example, when the rights management data structure is newspaper 102, DDS definitions 202 define a generic format that a newspaper style publication could use. Specifically, a first DDS definition 202a does not specify a particular headline of newspaper 102, e.g., Yankees Win the Pennant, but instead defines a location of the headline within newspaper 102. Because DDS 200 is generic to a class or a family of style content publications, it can be reused. See, e.g., Hall, Column 10, Lines 58-68; and Column 11, Lines 1-3. In another example, when rights management data structure is magazine 106, because magazines typically do not include headlines or breaking news, DDS 200 may not define such formatting. Instead, DDS 200 for magazine 106 may define issue date, a magazine title, the name of the photographer, and associated artwork designation. Thus, Hall also does not describe the gathering or manipulation of “compliance data,” as described above.

Applicant maintains that Hall’s rights management data is not “edit[ed] . . . to include organizational data,” as described in Applicant’s claims 1 and 13, as amended. Nevertheless, as noted above, “[a] claim is anticipated if and only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131 (emphasis added.) Because Hall does not disclose or suggest modifying the data, Applicant maintains that the Office Action fails to satisfy its burden of establishing that Hall anticipates claims 1 and 13, as amended. Therefore Applicant respectfully requests that the Examiner withdraw the anticipation rejection of claims 1 and 13. Moreover, because claims 2-

12 and 14-19 depend from claims 1 and 13, respectfully, Applicant respectfully requests that the Examiner also withdraw the anticipation rejection of claims 2-12 and 14-19.

CONCLUSION

Applicant respectfully submits that this application, as amended, is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that an interview with Applicant's representatives, either in person or by telephone, would expedite prosecution of this application, we would welcome such an opportunity. Applicant is enclosing check including the amount of \$385 for the requisite small entity fee (Fee Code 2801) for a Request for Continued Examination. Nevertheless, in the event of any variance between the fees determined by Applicants and those determined by the PTO, please charge any such variance to the undersigned's Deposit Account No. 02-0375.

Respectfully submitted,

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Enclosures